

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matters of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
UTILITIES COMPANY FOR AN ADJUSTMENT	)	
OF ITS ELECTRIC RATES, A CERTIFICATE	)	
OF PUBLIC CONVENIENCE AND NECESSITY	)	CASE NO.
TO DEPLOY ADVANCED METERING	)	2020-00349
INFRASTRUCTURE, APPROVAL OF CERTAIN	)	
REGULATORY AND ACCOUNTING	)	
TREATMENTS, AND ESTABLISHMENT OF A	)	
ONE-YEAR SURCREDIT	)	

ELECTRONIC APPLICATION OF LOUISVILLE	)	
GAS AND ELECTRIC COMPANY FOR AN	)	
ADJUSTMENT OF ITS ELECTRIC AND GAS	)	
RATES, A CERTIFICATE OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY TO DEPLOY	)	2020-00350
ADVANCED METERING INFRASTRUCTURE,	)	
APPROVAL OF CERTAIN REGULATORY AND	)	
ACCOUNTING TREATMENTS, AND	)	
ESTABLISHMENT OF A ONE-YEAR SURCREDIT	)	

**KENTUCKY SOLAR INDUSTRIES ASSOCIATION, INC.  
MOTIONS FOR AMENDMENT OF PROCEDURAL SCHEDULE**

Comes now the Kentucky Solar Industries Association, Inc. (KYSEIA), by and through counsel, and moves for the Commission to amend the procedural schedule established by the Commission’s June 30, 2021 Orders in each of the above-styled cases. In support of the motions to amend, KYSEIA states the following as good cause for the requests for relief.

KYSEIA was granted intervention into and has been an active participant in both the Kentucky Utilities Company’s (KU) and Louisville Gas and Electric Company’s (LG&E)

applications in the instant cases. KYSEIA's participation has included, among other things, developing the record through requests for information, the pre-filing of written testimonies by expert witnesses addressing net metering service and qualifying facilities, responding to requests for information, participation in the evidentiary hearing including presenting its expert witnesses for examination, and comprehensive briefing of the net metering service and qualifying facilities issues in the instant cases.

KYSEIA's participation has been for the purposes of presenting issues and developing facts that will assist the Commission in fully considering the matters without unduly complicating or disrupting the proceedings. The *Joint Post-Hearing Memorandum Brief* of KYSEIA filed on May 24, 2021 contains, among other things, a discussion of the principles and avoided cost components (also "stacks") for net metering export rates set forth by the Commission in its May 14, 2021 Order in PSC Case No. 2020-00174.<sup>1</sup>

In particular, the *Joint Post-Hearing Memorandum Brief* discusses the development of avoided cost components for KU and LG&E, including, in particular, avoided energy cost, avoided generation capacity costs, avoided transmission capacity costs, avoided distribution capacity costs, and avoided carbon costs.<sup>2</sup> KYSEIA's *Joint Post-Hearing Memorandum Brief* was a good faith effort to comply with the Commission's admonition in Case No. 2020-00174 for KYSEIA, as an intervenor, to share its expertise and experience in quantifying certain evidence.<sup>3</sup> KYSEIA noted that, due to differences between Kentucky Power Company and KU and LG&E, additional information was needed to tailor the components and develop final calculations.<sup>4</sup> KYSEIA

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<sup>1</sup> *Electronic Application of Kentucky Power Company for (1) A General Adjustment of Its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief Requested*, (Ky. PSC May 14, 2021).

<sup>2</sup> KYSEIA *Joint Post-Hearing Memorandum Brief* (filed May 24, 2021), pages 11 through 17/

<sup>3</sup> *Id.*, page 22, footnote 70.

<sup>4</sup> *Id.*, page 11.

respectfully submits that it did not withhold discussion on the quantifications of the various export rate stacks; rather, KYSEIA moved forward toward final quantifications based upon the information then-available for KU and LG&E.

KYSEIA is mindful of the statutory deadline in each of the instant cases, and it has no desire to disrupt or complicate the proceeds. Reluctantly, KYSEIA requests an amendment of the procedural schedule for these two cases. KYSEIA's expert witness Benjamin Inskeep has, among other things, testimonies due in two (2) separate dockets in another jurisdiction, Indiana, on July 13, 2021 and July 27, 2021. KYSEIA's expert witness Justin Barnes has, among other things, rebuttal testimony due in another jurisdiction, Michigan, on July 12, 2021 as well as participation in a hearing with an expected hearing date of August 3, 2021. With regard to Mr. Barnes, he also has other major projects that require deliverables on July 6, July 8, and July 14, 2021. Thus, KYSEIA's witnesses are not reasonably available.<sup>5</sup>

The current procedural schedules present a material hardship for KYSEIA; therefore, KYSEIA respectfully requests amendment of the schedules to move the dates established through the June 30, 2021 Order back seven (7) days such that simultaneous testimony is due July 20 rather than July 13; supplemental requests for information are due July 29 rather than July 22; responses to supplemental requests for information are due August 9 rather than August 2; and simultaneous rebuttal testimony is due August 12 rather than August 5.

KYSEIA does not make this request lightly or without examining options, including the use of different expert witnesses, to adhere to the existing schedule. In the absence of the relief

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<sup>5</sup> KYSEIA, in working with its witnesses, identified and discussed the prior, normal procedural schedules that the Commission establishes and uses for reviewing rate adjustment applications, and requested its witnesses to schedule accordingly. In these instances, the unique nature of these issues has necessitated additional Commission proceedings which were not anticipated when KYSEIA moved to intervene and engaged its witnesses.

requested, KYSEIA may not be in a position to file additional testimony and participate in discovery upon net metering service and qualifying facilities. KYSEIA's motions are not for the purpose of undue delay nor based in a lack of diligence.

WHEREFORE, KYSEIA respectfully moves for the Commission to amend the schedule of procedure in the above-styled cases for the reasons set forth in this joint motion.

Respectfully submitted,

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#### **NOTICE AND CERTIFICATION FOR FILING**

Undersigned counsel provides notice that the electronic version of the paper has been submitted to the Commission by uploading it using the Commission's E-Filing System on this 2<sup>nd</sup> day of July 2021, and further certifies that the electronic version of the paper is a true and accurate copy of each paper filed in paper medium. Pursuant to the Commission's March 16, 2020, and March 24, 2020, Orders in Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus Covid-19*, the paper, in paper medium, will be filed at the Commission's offices within 30 days of the lifting of the state of emergency.

/s/ David E. Spenard  
David E. Spenard

#### **NOTICE REGARDING SERVICE**

The Commission has not excused any party from electronic filing procedures for this case.

/s/ David. E. Spenard  
David E. Spenard